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9 UNITED STATES DISTRICT COURT

10 NORTHERN DISTRICT OF CALIFORNIA

11 SAN FRANCISCO DIVISION

12

13 UNITED STATES OF AMERICA,	) CASE NO. 22-cr-389-RS
14 Plaintiff,	) UNITED STATES' MOTION TO DISMISS COUNT
15 v.	) SEVEN OF THE INDICTMENT AND
16 LUIS CRUZ, a/k/a "Luis Arias,"	) [PROPOSED] ORDER
17 Defendant.	)
18 _____)	

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20 On April 18, 2023, the defendant, Luis Cruz, pleaded guilty to Counts Two, Five, and Six of the  
21 Indictment pursuant to a plea agreement. That agreement provided the government would move to  
22 dismiss the remaining charges set forth in the Indictment at the time of sentencing. On July 25, 2023,  
23 the Court sentenced the defendant in connection with this case. At the conclusion of the sentencing  
24 hearing, the government moved to dismiss Counts One, Three, and Four of the Indictment but  
25 inadvertently failed to identify Count Seven as one of the remaining charges to be dismissed.  
26 Accordingly, the government hereby moves for dismissal of Count Seven of the Indictment as provided  
27 for in the parties' plea agreement.

1 DATED: July 26, 2023

Respectfully submitted,

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3 ISMAIL J. RAMSEY  
United States Attorney

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5 /s/ Jared Buszin  
JARED S. BUSZIN  
6 Assistant United States Attorney

7 **PROPOSED] ORDER**

8 For the reasons stated in the United States' Motion to Dismiss Count Seven of the Indictment,  
9 the United States' Motion to Dismiss Count Seven of the Indictment is **GRANTED**.

10 **IT IS SO ORDERED.**

11  
12 DATED: \_\_\_\_\_

13 \_\_\_\_\_  
HON. RICHARD SEEBORG  
14 United States District Judge